

INDIANA PHYSICAL THERAPY COMMITTEE

Minutes

June 18, 2008

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. Mary Bennett called the meeting to order at 10:12 a.m. in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, IN 46204 and declared a quorum.

Board Members Present:

Mary Bennett, PT, Member
Megan Certo, PT, Member
Deborah Reed, PT, Member (arrived at 10:15 a.m.)
Maria Fletcher, MD, Member

Board Members Absent:

None.

State Officials Present:

Jeanette Roberts, Board Director, Indiana Professional Licensing Agency
Peter Wallace, Assistant Board Director, Indiana Professional Licensing Agency
Gordon White, Board Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

Fletcher/Certo
3/0/0 Motion carried.

III. ADOPTION OF THE MINUTES FROM THE MARCH 5, 2008 MEETING OF THE COMMITTEE

A motion was made and seconded to adopt the minutes of the March 5, 2008 meeting of the committee.

Certo/Fletcher
4/0/0 Motion carried.

IV. PRESENTATION FROM THE OFFICE OF THE ATTORNEY GENERAL(MARK MADER)

The presentation was continued until the next meeting.

V. PERSONAL APPEARANCES

A. Hesham Ahmed, P.T.

Mr. Ahmed withdrew his application prior to the meeting.

VI. ADMINSTRATIVE HEARINGS

A. In the matter of the license of Marsha L. Johnson, P.T.A., License No. 06001743A

Administrative Cause Number: 2007 PTC 0003
Re: Extension of Summary Suspension/Final Hearing

Parties and Counsel Present:

Mark Mader, Deputy Attorney General
Respondent is not present.

Participating Committee Members:

Mary Bennett, PT, Chair
Deborah Reed, PT, Member
Megan Certo, PT, Member
Maria Fletcher, MD, Member

Witnesses:

None.

Case Summary: A Petition for Summary Suspension in this matter was filed on April 10, 2007. A Summary Suspension Order was filed and mailed on April 18, 2007 suspending the license for 90 days. On August 22, 2007, an Extension of Summary Suspension was filed suspending the license for an additional 90 days. A complaint was filed in this matter on August 24, 2007. The Committee voted to suspend the license for an additional 90 days on December 12, 2007. On March 5, 2008, the Committee accepted an agreement to continue the hearing and extend the summary suspension for an additional 90 days or until June 27, 2008.

The parties again ask for a continuance of the hearing and an extension of the summary suspension.

A motion was made and seconded to grant the continuance and extend the summary suspension for an additional 90 days.

Bennett/Certo
4/0/0 Motion carried.

B. In the matter of the license of Vilma A. Abaigar, P.T., License No. 05003415A

Administrative Cause Number: 2008 PTC 0001

Re: Final Hearing

This hearing was continued.

C. In the matter of the license of Julee L. Gordon, P.T.A., License No. 06002469A

Administrative Cause Number: 2008 PTC 0002

Re: Final Hearing

This hearing was continued.

D. In the matter of the license of Mark Mayner, P.T., License No. 05008964A

Administrative Cause Number: 2006 PTC 0005

Re: Order to Show Cause

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Mark Mayner, Respondent

Evelyn Mayner, Wife of Respondent

Participating Committee Members:

Mary Bennett, PT, Chair

Deborah Reed, PT, Member

Megan Certo, PT, Member

Maria Fletcher, MD, Member

Witnesses:

Mark Mayner

Evelyn Mayner

Case Summary: Respondent's license was issued with a probationary status on June 13, 2006. An Order to Show Cause was issued on November 14, 2006. Mr. Mayner's probationary order was modified as a result of that hearing. Another Order to Show Cause was filed on May 19, 2008.

A motion was made and seconded to suspend the license indefinitely and require the Respondent to obtain a psychological evaluation to be completed by a psychologist that shall include MMPI or similar test by August 15, 2008. The Committee will hold reinstatement hearing in September. He must also submit an employer statement if employed.

Reed/Certo 4/0/0
4/0/0 Motion carried.

F. In the matter of the license of Jeremy Beasley, P.T.A., License No. 06006011A

Administrative Cause Number: 2006 PTC 0002

Re: Request for Termination of Probation

Parties and Counsel Present:

Christa Jewsbury, Deputy Attorney General

Jeremy Beasley, Respondent.

Participating Committee Members:

Mary Bennett, PT, Chair

Deborah Reed, PT, Member

Megan Certo, PT, Member
Maria Fletcher, MD, Member

Witnesses:

Jeremy Beasley

Case Summary: Respondents license was placed on indefinite probation on January 4, 2007.

A motion was made and seconded to remove the probation from the Respondent's license.

Certo/Fletcher
4/0/0 Motion carried.

G. In the matter of the license of Rose Mary Anderson, P.T.A., License No. 06001970A

Administrative Cause Number: 2007 PTC 0001

Re: Request for Reinstatement

Parties and Counsel Present:

Christa Jewsbury, Deputy Attorney General
Jeremy Beasley, Respondent.

Participating Committee Members:

Mary Bennett, PT, Chair
Deborah Reed, PT, Member
Megan Certo, PT, Member
Maria Fletcher, MD, Member

Witnesses:

None.

Case Summary: Respondents license was suspended on November 15, 2007.

A motion was made and seconded to place Respondent's license on indefinite probation under the terms listed in her previous order with the exception of letter "h" and "i" and that "k" should require 4 hours of community service on a *quarterly* basis.

Fletcher/Certo
4/0/0 Motion carried.

VII. NOTICE OF PROPOSED DEFAULT

In the matter of the license of Shayne K. Ferguson, P.T., License No. 05003802A

Administrative Cause Number: 2007 PTC 0005

Parties and Counsel Present:

Mark Mader, Deputy Attorney General
Respondent is not present.

Participating Committee Members:

Mary Bennett, PT, Chair
Deborah Reed, PT, Member
Megan Certo, PT, Member
Maria Fletcher, MD, Member

Witnesses:

None.

Case Summary: A complaint in this matter was filed on December 21, 2007. A hearing notice regarding this matter was filed and mailed on December 27, 2007 notifying the respondent of a hearing scheduled on March 5, 2008. Respondent was not present at the hearing and the Committee issued a Notice of Proposed Default Order.

A motion was made and seconded to hold the Respondent in default.

Certo/Fletcher
4/0/0 Motion carried.

A motion was made and seconded to issue a reprimand and require that upon application for renewal that Respondent be required to appear before the board and bring documentation concerning all sanctions against his Kentucky license.

VIII. DISCUSSION

A. Probationary Update (Megan Certo) – Most everyone is doing what they are supposed to.

Ms. Certo reports that all probationers are doing fine.

B. Testing Accommodations (Dr. Maria Fletcher)

Dr. Fletcher states that we had one request for special accommodations. The applicant's request for special accommodations was denied. The applicant then withdrew his request.

C. Chiragkumar Patel

RE: Self-Reported Criminal Conviction

The Committee reviewed the information that Mr. Patel submitted. The Committee would like the Director to send Mr. Patel a letter telling him thank you and that he needs check yes on the next renewal and submit documentation of completion of probation.

D. Review of Positive Response Renewals

1. Julie Schroder

The Committee would like a letter from her current supervisor specifically addressing her compliance with safety standards. They also would like a copy of the termination documentation that can be sent directly from American Seniors. Once documentation is received, can be reviewed at the next meeting.

2. Angela Marrow

The Committee reviews the renewal information and agrees to approve the renewal.

3. Elizabeth Reed

The Committee reviews the renewal information and agrees to approve the renewal.

A motion was made and seconded regarding the above 3 renewals.

Reed/Fletcher
4/0/0 Motion carried.

E. Therapist Quarterly

The Committee would like staff to always include actions. Ted Kennedy or Mark Sherer may also submit articles.

F. Emergency Hearing Memo

The Committee reviews the Memo from IPLA regarding emergency hearing procedures.

IX. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Physical Therapy Committee adjourned at 1:55 p.m.

Mary Bennett, PT, Chair